



Town of Merrimack, New Hampshire

Community Development Department
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Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK PLANNING BOARD TUESDAY, MAY 4, 2021

Planning Board members present: Robert Best; Paul McLaughlin; Neil Anketell; Barbara Healey (Town Council Ex-Officio); and Alternate Nelson Disco.

Planning Board members absent: Lynn Christensen

Staff present: Tim Thompson, AICP, Community Development Director

1. Call to Order

Robert Best called the virtual meeting to order at 7:00 p.m. and read the procedures & processes for the virtual meeting. He appointed Nelson Disco to sit for the late Alastair Millns.

2. Planning & Zoning Administrator's Report

Discussion only.

3. Merrymac Christmas Tree Farm, LLC (applicant) and Linda Raymond (owner) – Continued review for consideration of a Site Plan to permit a Christmas Tree Farm and supporting accessory use/infrastructure. The parcels are located at 105 and 107 Turkey Hill Road in the R-1 (Residential, by soils), and Aquifer Conservation Districts. Tax Map 4C, Lots 229 and 229-01. Case #PB2021-11. **This item is continued from the April 6, 2021 Planning Board meeting.**

Applicant was represented by: Matt Peterson, Keach-Nordstrom Associates.

Public Comment was received via email and by phone from: Robert & Debbra Uttero, 5 Acacia Street. A copy of the email is on file at the Community Development Department.

The Board voted 5-0-0 by roll call vote to grant waivers to Sections 3.11.1 (1) (parking), 3.11.1 (3) (parking), 3.11.1 (5) (parking), 3.13.e (lighting), and 3.14 (traffic) on a motion made by Neil Anketell and seconded by Nelson Disco.

The Board voted 5-0-0 by roll call vote to grant conditional final approval on a motion made by Paul McLaughlin and seconded by Barbara Healey.

4. John Flatley Company (applicant) & Gilbert Crossing, LLC & John J. Flatley (owners) – Continued review for consideration of an amendment to a previously approved Mixed Use Development Conditional Use Permit to permit 96 additional multi-family residential units. The parcels are located at 645, 673, 685, 703 & 707 Daniel Webster Highway and 5 Gilbert Drive in the I-1 (Industrial), Aquifer Conservation and Wellhead Protection Districts. Tax Map 6E, Lots 003-01, 003-03, 003-04, 003-05, 003-06 and 003-07. Case # PB2021-12. **This item is continued from the April 6, 2021 Planning Board meeting.**

Robert Best recused himself from the next 2 cases. Paul McLaughlin assumed the Chair.

Applicant was represented by: Chad Branon, Fieldstone Land Consultants; Kevin Walker, John Flatley Company; and Giles Ham, Vanasse and Associates.

Public Comment was received by phone from: Ashley Tenhave, 75 Shelburne Road; Kathryn Poirier, 11 Kimberly Drive, Unit 21; and Katherine Hodge, 44 Belmont Drive.

A motion to grant conditional approval to the amended Conditional Use Permit made by Neil Anketell failed for lack of a second.

A motion to deny the amended CUP because it did not meet the traffic criterion from the Zoning Ordinance made by Barbara Healey failed for lack of a second.

The Board voted 3-1-0 by roll call vote to grant conditional final approval to the amendment to the Conditional Use Permit on a motion made by Nelson Disco and seconded by Neil Anketell. Barbara Healey voted in opposition.

- 5. John Flatley Company (applicant/owner)** - Continued review for acceptance and consideration of a Site Plan to construct 100,000 square feet of research & development/warehouse in 3 proposed buildings and associated site improvements, per the requirements of the Flatley Mixed Use Conditional Use Permit. The parcel is located at 685 Daniel Webster Highway in the I-1 (Industrial) District and the Aquifer Conservation and Wellhead Protection Areas. Tax Map 6E, Lot 003-04. Case #PB2020-19. **This item is continued from the September 1, October 6, October 20, and November 10, 2020 and January 5, 2021 Planning Board meetings.**

Applicant was represented by: Chad Branon, Fieldstone Land Consultants; and Kevin Walker, John Flatley Company.

Public Comment was received by email from: Joel Folliard, 11 Kimberly Drive. A copy of the email is on file at the Community Development Department.

Public Comment was received by phone from: Ashley Tenhave, 75 Shelburne Road; Kathryn Poirier, 11 Kimberly Drive, Unit 21; Kendall Smith, 18 Kimberly Drive; and Katherine Hodge, 44 Belmont Drive.

The Board voted 4-0-0 by roll call vote to accept the applicant's extension to the RSA 676:4 timeframes to make a final decision for 45 additional days on a motion made by Nelson Disco and seconded by Barbara Healey.

The Board voted 4-0-0 by roll call vote to continue the public hearing to June 1, 2021 on a motion made by Nelson Disco and seconded by Barbara Healey.

Robert Best returned to Chair the meeting.

6. Discussion/possible action regarding other items of concern

Discussion only.

7. Approval of Minutes — April 6 & April 20, 2021

The Board voted 3-0-2 by roll call vote to approve the minutes of April 6, 2021, as submitted, on a motion made by Paul McLaughlin and seconded by Nelson Disco. Barbara Healey and Neil Anketell abstained.

The Board voted 3-0-2 by roll call vote to approve the minutes of April 20, 2021, as submitted, on a motion made by Paul McLaughlin and seconded by Nelson Disco. Barbara Healey and Neil Anketell abstained.

8. Adjourn

The Board voted 5-0-0 by roll call vote to adjourn at 10:02 p.m. on a motion made by Paul McLaughlin and seconded by Barbara Healey.